

01-07-02
 GAU 1772
CERTIFICATE OF EXPRESS MAIL

I hereby certify that this supplemental response (along with any documents referred to as attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

on December 21, 2001
 Date of Mailing
Sharon McClain
 Applicant, Assignee or Registered Representative
Sharon McClain
 Signature
December 21, 2001
 Date of Signature
12-21-01



RECEIVED
 JAN 11 2002
TC 1700

RESPONSE TO OFFICE ACTION TRANSMITTAL LETTER			ATTORNEY'S DOCKET NO. 24180-044002
SERIAL NO. 09/369,980	FILING DATE July 30, 1999	EXAMINER R. Dye	GROUP ART UNIT 1772
INVENTOR(S) Galloway, et al.			
TITLE OF INVENTION Multi-layer Thermoplastic Films and Packages Made Therefrom			

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Transmitted herewith is a response in the above-identified application to the Office Action of November 29, 2001.

- ☐ Small entity status of this application under 37 CFR 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish a small entry status under 37 CFR 1.9 and 1.27 is enclosed.
- ☐ A request for a third-month extension of time is enclosed.
- ☒ No additional claim fee is required.
- ☐ The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL		MINUS	20	
INDEP.		MINUS	3	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

SMALL ENTITY

RATE	ADD'L FEE
x \$9 =	\$
x \$40 =	\$
x \$135 =	\$
TOTAL ADD'L FEE	\$

OTHER THAN A
SMALL ENTITY

RATE	ADD'L FEE
x \$18 =	\$
x \$80 =	\$
x \$270 =	\$
TOTAL ADD'L FEE	\$5

- ☐ Please charge Deposit Account No. 13-0206 in the amount of \$00.00 for Response to Office Action. A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$_____ to cover filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR 1.16 and any patent application processing fees under 37 CFR 1.17 associated with this response or credit any overpayment to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.
- ☐ I hereby petition under 37 CFR 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 13-0206. A duplicate copy of this sheet is enclosed.

December 21, 2001
 (Date)

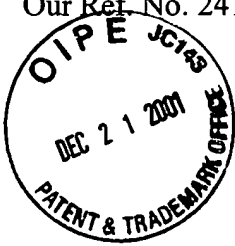
SIGNATURE: Joy Ann G. Serauskas

AGENT NAME: Joy Ann G. Serauskas
 REGISTRATION NO: 27,952

McDERMOTT, WILL & EMERY
 227 WEST MONROE STREET
 CHICAGO, ILLINOIS 60606
 tel.: (312) 372-2000
 fax.: (312) 987-7700

CHI99 3839383-1.024180.0044

In re Appln. of Galloway, et al.
U.S. Patent Application No. 09/369,980
"Multi-layer Thermoplastic Films and Packages Made Therefrom"
Our Ref. No. 24180-044002



CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" mailing label number EL231195554US

Date of Deposit: December 21, 2001

I hereby certify that the following documents:

1. Transmittal for Response to Office Action (1 pp.-in dup.);
2. Supplemental Response (2 pp.);
3. Certificate of Express Mailing (1 pp.) and
4. Return postcard.

are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Sharon McClain

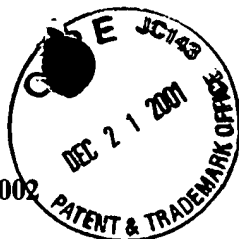
(Typed or printed name of person mailing paper or fee)

Sharon McClain

(Signature of person mailing paper or fee)

RECEIVED
JAN 11 2002
TC 1700

Docket No. 24180-044002



PATENT

#19
C. Quen
1/17/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Galloway, et al., U.S. Patent)
Application No. 09/369,980)
For: MULTI-LAYER THERMOPLASTIC FILMS)
AND PACKAGES MADE THEREFROM)
Filed: July 30, 1999)
Group Art Unit: 1772)
Examiner: R. Dye)

RECEIVED
JAN 11 2002
TC 1700

SUPPLEMENTAL RESPONSE

Assistant Commissioner for Patents
Washington, DC 20231

Dear Sir:

In response to the Office Communication (paper 18) mailed November 29, 2001, it is respectfully requested that the following remarks be considered.

REMARKS

Applicants appreciate the opportunity granted by the Examiner for applicants' to respond to obviousness-type double patenting rejection set forth in paragraph nos. 3-4 of the Office Action (paper 15) mailed April 10, 2001.

The Examiner has rejected claims 17, 18, 20 and 21 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 4-13, 15, 16 and 21 of copending Application No. 08/899,410. The Examiner has stated that although the conflicting claims are not identical, they are not patentably distinct from each other because the claims recited in the present patent application are recited broadly enough to include or encompass that which is recited in related patent application serial number 08/899,410.

With respect to the rejection of claims 17, 18, 20 and 21 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 4-13, 15, 16 and 21 of copending Application No. 08/899,410, Applicants will be willing to consider